

# **EXHIBIT A**

**LAW OFFICES OF OMID NIKNAM, P.C.**  
BY: OMID NIKNAM, ESQUIRE  
ATTORNEY I.D. # 64589  
1500 Walnut Street, 7th Floor  
Philadelphia, PA 19102  
(215) 568-1570

Attorney for Plaintiff

Filed and Attested by the  
Office of Judicial Records  
25 JUL 2022 08:53 am  
S. GILLIAM



Halima Ba	:	COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
<i>Plaintiff</i>	:	
v.	:	
Best Buy	:	NUMBER: 220701082
<i>and</i>	:	
Best Buy Company, Inc.	:	
<i>Defendants</i>	:	

**AFFIDAVIT OF SERVICE**

I do hereby certify that service of the Complaint in the above-captioned matter was made by first class and certified mail on the 18<sup>th</sup> day of July 2022, upon the Defendant Best Buy Company, Inc. Exhibit A is the certified mail return receipt.

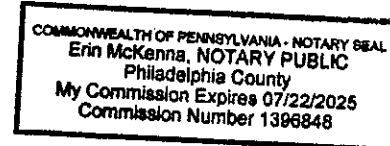
TO: Best Buy Company, Inc.  
7601 Penn Avenue South  
Richfield, MN 55423



Omid Niknam

Affirmed to and subscribed  
before me on this 24 day of July, 2022

Erin McKenna  
Notary Public



## **Exhibit A**

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</li> <li><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</li> <li><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p><b>A. Signature</b>  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p><b>B. Received by (Printed Name)</b>  <i>Barb Walz</i></p> <p><b>C. Date of Delivery</b>  <i>7/18/22</i></p>	
<p><b>1. Article Addressed to:</b></p> <p><i>Best Buy Company, Inc.      7601 Penn Avenue South      Richfield, MN 55423</i></p>		<p><b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes      If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p><b>2.</b></p> <p><b>9590 9402 5506 9249 6914 08</b></p>		<p><b>3. Service Type</b></p> <p> <input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <small>(over \$500)</small> </p> <p> <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery     </p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p> <p>Domestic Return Receipt</p>			

Court of Common Pleas of Philadelphia County

Trial Division

**Civil Cover Sheet**

		For Prothonotary Use Only (Docket Number)		
		<b>JULY 2022</b>		
		E-Filing Number: 2207024543		
PLAINTIFF'S NAME HALIMA BA		DEFENDANT'S NAME BEST BUY		
PLAINTIFF'S ADDRESS 2500 SOUTH 68TH STREET PHILADELPHIA PA 19142		DEFENDANT'S ADDRESS 2300 S. CHRISTOPHER COLUMBUS PHILADELPHIA PA 19148		
PLAINTIFF'S NAME		DEFENDANT'S NAME BEST BUY COMPANY, INC.		
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 7601 PENN AVENUE SOUTH RICHFIELD MN 55423		
PLAINTIFF'S NAME		DEFENDANT'S NAME		
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS		
TOTAL NUMBER OF PLAINTIFFS 1		TOTAL NUMBER OF DEFENDANTS 2		COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00		COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 2S - PREMISES LIABILITY, SLIP/FALL				
STATUTORY BASIS FOR CAUSE OF ACTION				
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER) <b>FILED PRO PROTHY</b> <b>JUL 14 2022</b> <b>A. STAMATO</b>				IS CASE SUBJECT TO COORDINATION ORDER? YES      NO
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>HALIMA BA</u> Papers may be served at the address set forth below.				
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY OMID NIKNAM		ADDRESS LAW OFFICES OF OMID NIKNAM 1500 WALNUT ST 7TH FLOOR PHILADELPHIA PA 19102		
PHONE NUMBER (215) 568-1570		FAX NUMBER (215) 751-0658		
SUPREME COURT IDENTIFICATION NO. 64589		E-MAIL ADDRESS oniknam@comcast.net		
SIGNATURE OF FILING ATTORNEY OR PARTY OMID NIKNAM		DATE SUBMITTED Thursday, July 14, 2022, 11:03 am		

**LAW OFFICES OF OMID NIKNAM, P.C.**  
BY: OMID NIKNAM, ESQUIRE  
ATTORNEY I.D. # 64589  
1500 Walnut Street, 7th Floor  
Philadelphia, PA 19102  
(215) 568-1570

Filed and Attested by the  
Office of Judicial Records  
14 JUL 2022 11:03 am  
A. STAMATO  
PHILADELPHIA  
DISTRICT OF PENNSYLVANIA

Attorney for Plaintiff

Halima Ba  
2500 South 68<sup>th</sup> Street  
Philadelphia, PA 19142

COURT OF COMMON PLEAS  
OF PHILADELPHIA COUNTY  
JULY TERM, 2022

*Plaintiff*

v.

Best Buy  
2300 S. Christopher Columbus Boulevard  
Philadelphia, PA 19148

NUMBER:

*and*

Best Buy Company, Inc.  
7601 Penn Avenue South  
Richfield, MN 55423

*Defendants*

**"NOTICE"**

"You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief required by the plaintiff. You may lose money or property or other rights important to you."

"YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP."

PHILADELPHIA BAR ASSOCIATION  
LAWYER REFERRAL and INFORMATION SERVICE  
1101 Market Street, 11<sup>th</sup> Floor  
Philadelphia, PA 19107  
(215) 238-6333

**"AVISO"**

"Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días, de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted."

"LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL."

ASOCIACION DE LICENDIADOS DE FILADELPHIA  
SERVICIO DE REFERIA E INFORMACION LEGAL  
1101 Market Street, 11<sup>th</sup> Floor  
Philadelphia, Pennsylvania 19107  
Teléfono: (215) 238-6333

**COMPLAINT**

Plaintiff, by and through her attorneys, Omid Niknam, Esquire and Law Offices of Omid Niknam, P.C., hereby bring this Complaint and aver as follows:

1. Plaintiff Halima Ba is an adult individual who resides at 2500 South 68<sup>th</sup> Street, Philadelphia, PA 19102.
2. At all times material hereto, Defendant Best Buy, upon information and belief, conducted business in the Commonwealth of Pennsylvania with a business address located at 2300 South Christopher Columbus Boulevard, Philadelphia, PA 19148.
3. At all times material hereto, Defendant Best Buy Company, Inc., upon information and belief, conducted business in the Commonwealth of Pennsylvania with headquarters located at 7601 Penn Avenue South, Richfield, MN 55423.
4. At all material times material hereto, Defendants were owners, operators, partners, shareholders, possessed, managed, controlled, constructed, cleaned, maintained and/or repaired and items for their sale to consumers in the property located at 2300 South Christopher Columbus Boulevard (hereinafter "the Property").
5. On or about July 18, 2020, Plaintiff was lawfully present at the Property.
6. On that date, Plaintiff was walking while at or near the oven aisle at the Property when her ankle was impaled by a protruding nail from a wooden pallet.
7. Plaintiff sustained injuries as a result of the dangerous condition which existed within, on and around the said pallet at the Property.
8. As a result of the negligence and carelessness of the Defendants herein, Plaintiff suffered serious and painful injuries as hereinafter described.

9. Plaintiff was injured as a direct and proximate result of the aforementioned dangerous condition which existed in and upon the aforesaid Property, which at all times material hereto was under the ownership, supervision, control, management, and/or maintenance of the aforesaid Defendants.

10. Plaintiff believes and therefore avers that the Defendants were under video surveillance and that they had actual notice and/or constructive notice of the said dangerous condition prior to the aforesaid date when Plaintiff was seriously injured.

11. As a result of the aforesaid negligence, Plaintiff sustained serious and painful injuries, including but not limited to her foot and ankle and other ills and injuries some or all of which have required surgical repair, resulted in scarring, and are permanent in nature.

12. As a result of the aforesaid accident, Plaintiff has suffered great physical pain and mental anguish, all of which may be permanent in nature and continue in the future to her great detriment and loss.

13. As a result of the aforesaid accident, Plaintiff has been and may in the future be required to spend considerable sums of money for medical treatment in an effort to treat and cure herself of the injuries sustained as aforesaid, any and all of which may continue to her great financial loss and detriment.

14. Plaintiff has been, and may in the future be, unable to work due to her injuries, with consequent loss of earnings and impairment of her earning capacity.

15. Plaintiff, as a result of this accident, has suffered a loss of the enjoyment of her usual duties, life's pleasures and activities and a shortening of her life expectancy to her great detriment and loss.

16. Plaintiff, in no manner contributed to her injuries which resulted from the direct negligence of the Defendant individually, jointly, severally, and/or by and through their agents, servants, workmen, contractors, and/or employees.

**COUNT I - NEGLIGENCE**  
**HALIMA BA v. DEFENDANTS**

17. Plaintiff hereby incorporates the averments contained in the proceeding paragraphs as though fully set forth herein.

18. The negligence and carelessness of the Defendants herein, individually, jointly, severally and/or by and through their agents, servants, workmen and employees, consisted of, but was not limited to, the following:

- (a) Allowed to remain and/or left unattended, in an open shopping area, a wooden pallet with a protruding nail and creating a hazardous situation;
- (b) Failed to discover, remove, correct, control, manage, maintain, service and/or supervise the wooden pallet at the Property, after it knew or should have known about the dangerous condition;
- (c) Said conditions were such that the pallet posed an unreasonable risk of injury to Plaintiff and other persons;
- (d) Allowed a wooden pallet to remain, at the Property, in a dangerous and unsafe condition;
- (e) Failed to properly inspect the wooden pallet at the Property, which would have revealed the existence of the dangerous

condition posed by protruding nails to invitees, licensees, and others legally on the premises;

- (f) Failed to give Plaintiff proper and due notice of the dangerous conditions which existed at the Property;
- (g) Failed to place warnings or barricades at the point of accident to prevent the occurrence heretofore recited;
- (h) Failed to give Plaintiff proper and adequate protection to which she was entitled;
- (i) Permitted a nuisance and trap to exist on said Property and/or premises;
- (j) Failed to inspect and/or negligently inspected the Property;
- (k) Failed to use due care in the selection of a person and/or entity to maintain the upkeep and safety of the aisles;
- (l) Was negligent as a matter of law; and
- (m) Negligent in other respects which may well be pointed out during discovery or at the time of trial.

**WHEREFORE**, Plaintiff demands judgment against Defendants individually, jointly, severally and/or in the alternative, for damages in excess of Fifty Thousand (\$50,000.00) Dollars, plus interest and costs, delay damages, damages pursuant to Pa.R.C.P. 238, as well as any further remedy deemed appropriate by this Court.

LAW OFFICES OF OMID NIKNAM, P.C.

OMID NIKNAM, ESQUIRE  
Attorney for Plaintiff

Date: July 14, 2022

VERIFICATION

Plaintiff Halima Ba verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. The undersigned understands that statements herein are made subject to the penalties set forth at 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities.

Date: July 14, 2022

Halima Ba